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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/679,078 | 10/05/2000 | David Moir Archibald | 4481-031 | 7765 |

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EXAMINER

KADING, JOSHUA A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2661

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/679,078

Applicant(s)

ARCHIBALD, DAVID MOIR

Examiner

Joshua Kading

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 1,2,8 and 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claims 1, 2, 8, and 12 are objected to because of the following informalities:

Claim 1, line 6 states, "signalling channels which". It should read, --signalling

5 channels of a plurality of signalling channels which--.

Claim 2, line 20 states, "signalling channels which". It should read, --signalling
channels of a plurality of signalling channels which--.

Claim 8, line 16 states, "signalling channels which". It should read, --signalling
channels of a plurality of signalling channels which--.

10 Claim 12, line 5 states, "signalling channels which". It should read, --signalling
channels of a plurality of signalling channels which--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

15 The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of
making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
set forth the best mode contemplated by the inventor of carrying out his invention.

20

Claims 1-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to
comply with the enablement requirement. The claim(s) contains subject matter which
was not described in the specification in such a way as to enable one skilled in the art to
which it pertains, or with which it is most nearly connected, to make and/or use the
25 invention.

In regard to claims 1 and 12, applicant discloses "...selecting third messages containing an identification related to an end user of said data item and a call identifier with system-wide significance; and using said selected third messages to establish a correlation between the first and second bearer channel identifications" and "...a third selector for selecting third messages containing an identification related to an end user of said data item and a call identifier with system-wide significance; and a correlator for establishing a correlation between the first and second bearer channel identifications in accordance with said selected third messages." How are the third messages used to correlate the first and second bearer channel identifications? Where do the third messages come from? Applicant discloses a method and apparatus for "establishing a correlation between the contents of signalling messages" but does not explain how this is done in either claims 1 or 12.

Claims 5-6 are rejected for the same reasons as claim 1 because of their dependence on claim 1.

In regard to claims 2 and 13, applicant discloses "...selecting third messages containing an identification related to an end user of said data item and packet network address information; selecting fourth messages containing packet network address information and a transaction identifier; and using said selected third and fourth messages to establish a correlation between the first and second bearer channel

identifications" and "...a third selector for selecting third messages containing an identification related to an end user of said data item and packet network address information; a fourth selector for selecting fourth messages containing packet network address information and a transaction identifier; and a correlator for establishing a correlation between the first and second bearer channel identifications in accordance with said selected third and fourth messages." How are the third and fourth messages used to correlate the first and second bearer channel identifications? Where do the third and fourth messages come from? Applicant discloses a method and apparatus for "establishing a correlation between the contents of signalling messages" but does not explain how this is done in either claims 2 or 13.

Claims 3 and 7 are rejected for the same reasons as claim 2 because of their dependence on claim 2.

15 In regard to claims 8 and 14, applicant discloses "...establishing a correlation between first and second messages for which the elapsed time is below a predetermined threshold, and thus between the first and second bearer channel identifications" and "...a correlator for establishing a correlation between first and second messages for which the elapsed time is below a predetermined threshold, and thus between the first and second bearer channel identifications." How does the correlator establish a correlation between the first and second messages? How is the correlation between the first and second messages established? Applicant discloses a

Art Unit: 2661

method and apparatus for "establishing a correlation between the contents of signalling messages" but does not explain how this is done in either claims 8 or 14.

Claims 9-10 are rejected for the same reasons as claim 8 because of their

5 dependence on claim 8.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10

Claims 1, 4, 5, 6, 8-12, and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regard to claims 1 and 12, applicant discloses "...system-wide significance..."

15 It is unclear what is meant by system-wide significance.

In regard to claims 8 and 14, applicant discloses "...first call initiation messages..." and "...second call initiation messages..." It is unclear where these messages come from. Are they the same as the "monitored messages" or are they
20 different?

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Kading whose telephone number is (703) 305-0342. The examiner can normally be reached on M-F: 8:30AM-5PM.

Art Unit: 2661


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Olms can be reached on (703) 305-4703. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Joshua Kading
Examiner
Art Unit 2661



JK
10 January 6, 2004



KENNETH VANDERPUYE
PRIMARY EXAMINER